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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 UNITED STATES OF AMERICA,
12
13 vs.
14 LUKE FAIRFIELD (3),
15 Defendant.

CASE NO. 15CR2310WQH
ORDER

HAYES, Judge:

16 The matter before this Court is Defendant's Application to file under seal an
17 application for underseal filing requesting that the Court seal a motion to continue
18 currently scheduled sentencing date, an order continuing the sentencing date, an order
19 allowing filing under seal, and a Memorandum entitled "Objections to PSR and position
20 regarding pending Sentencing."

21 "A party seeking to seal a judicial record ... bears the burden of overcoming [a]
22 strong presumption [in favor of public access] by meeting the compelling reasons
23 standard." *Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir.
24 2006) (internal citations and quotations omitted). A party seeking to seal court
25 documents can overcome the presumed right to access "only by [establishing] an
26 overriding right or interest 'based on findings that closure is essential to preserve higher
27 values and is narrowly tailored to serve that interest.'" *Oregonian Publ'g Co. v. U.S.*
28 *Dist Court for the Dist. of Or.*, 920 F.2d 1462, 1465 (9th Cir. 1990) (quoting *Press-*

1 *Enterprise Co. v. Superior Ct.*, 464 U.S. 501, 510 (1985).

2 The Court has reviewed the documents and finds that Defendant has not limited
3 the request to seal to information supported by compelling reasons for sealing.

4 IT IS HEREBY ORDERED that the application to file under seal is denied. The
5 Clerk of the Court shall return the Defendant's Application to file under seal an
6 application for underseal filing, a motion to continue currently scheduled sentencing
7 date, an order continuing the sentencing date, an order allowing filing under seal, and
8 a Memorandum entitled "Objections to PSR and position regarding pending
9 Sentencing" and file this order on the docket in the record.

10 The sentencing hearing on Monday, September 24, 2018 at 9 A.M. in Courtroom
11 14B will go forward as scheduled.

12 DATED: September 21, 2018

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14 **WILLIAM Q. HAYES**
15 United States District Judge
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